

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

CAREER COLLEGES
& SCHOOLS OF TEXAS,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
EDUCATION; MIGUEL CARDONA,
in his official capacity as the Secretary
of Education,

Defendants.

CASE NO.: 4:23-cv-00206-P

PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION

Plaintiff CAREER COLLEGES & SCHOOLS OF TEXAS ("CCST") respectfully moves the Court for a preliminary injunction enjoining the United States Department of Education (the "Department") and Secretary of Education Miguel Cardona (together, the "Defendants") from enforcing, applying, or implementing the November 1, 2022 final rule regarding the Department's administration of student loans under the William D. Ford Federal Direct Loan ("Direct Loan"), the Federal Perkins Loan ("Perkins"), and the Federal Family Education Loan ("FFEL") programs, *see* 87 Fed. Reg. 65,904 (Nov. 1, 2022) (the "Rule"), anywhere within the Department's jurisdiction.

As set forth in the accompanying memorandum of law in support, CCST is likely to prevail on the merits; CCST and its member schools will suffer irreparable harm absent the requested injunctive relief; and the balance of equities and public interest considerations favor an order of preliminary injunction.

Further, expedited relief is necessary because the Rule is set to take effect on July 1, 2023.
See 87 Fed. Reg. 65,904.

WHEREFORE, for the reasons set forth in the accompanying brief, CCST respectfully requests that the Court issue a preliminary injunction enjoining the Defendants from enforcing, applying, or implementing the Rule anywhere within the Department's jurisdiction.

Dated: April 5, 2023

Respectfully submitted,

/s/ Allyson B. Baker
Allyson B. Baker (*pro hac vice*)
Meredith L. Boylan (*pro hac vice*)
Stephen B. Kinnaird (*pro hac vice*)
Michael Murray (*pro hac vice*)
Sameer P. Sheikh (*pro hac vice*)
PAUL HASTINGS LLP
2050 M Street NW
Washington, DC 20037
allysonbaker@paulhastings.com
(202)-551-1830

/s/ Philip Vickers
Philip Vickers
Texas Bar No. 24051699
pvickers@canteyhanger.com
Katherine Hancock
Texas Bar No. 24106048
khancock@canteyhanger.com
CANTEY HANGER LLP
600 West 6th Street, Suite 300
Fort Worth, TX 76102
(817) 877-2800
(817) 877-2807 – Fax

*Attorneys for Plaintiff
Career Colleges & Schools of Texas*

CERTIFICATE OF CONFERENCE

On April 3, 2023, I conferred by telephone with R. Charlie Merritt, counsel for the Defendants, regarding this Motion and the relief requested herein. Mr. Merritt stated that Defendants oppose this Motion and the relief Plaintiff seeks.

/s/ Michael Murray
Michael Murray

CERTIFICATE OF SERVICE

I certify that on April 5, 2023, a true and correct copy of the foregoing document was served upon all counsel of record in this action via the Court's CM/ECF system.

/s/ Philip Vickers
Philip Vickers